

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (currently amended): An image reading method which reads an image on an image recording medium by a visible light, comprising the steps of:

scanning ~~a specified detecting~~ an invisible light in a first direction using an optical path of the visible light and simultaneously reading the ~~specified detecting~~ invisible light one-dimensionally in a second direction which is perpendicular to the first direction after a focusing position of the ~~specified detecting~~ invisible light is set on a position of an optical element disposed in the optical path of the visible light, the focusing position being different from a position of the image recording medium;

determining from the read ~~detecting~~ invisible light whether light quantity data of the one-dimensionally read ~~detecting~~ invisible light contains a portion where the light quantity data changes at a reading position during the one-dimensional reading; and

detecting at least one of a foreign matter and a scratch on the optical element based on a result of the determining operation;

scanning an invisible light on the recording medium and reading the scanned invisible light; and

detecting, by the invisible light, the at least one of the foreign matter and the scratch on the recording medium.

wherein focusing positions of the invisible light are different from one another between the time when at least one of the foreign matter and the scratch on the optical element disposed in the optical path is detected by the invisible light and the time when at least one of the foreign matter and the scratch on the image recording medium is detected by the invisible light.

2. (canceled).
3. (previously presented): The image reading method according to claim 1, wherein the one-dimensional reading is performed by a line sensor.
4. (previously presented): The image reading method according to claim 3, wherein the scanning is performed by allowing the image recording medium and the line sensor to move relative to each other by transferring the image recording medium in relation to the line sensor.
5. (currently amended): The image reading method according to claim 3, wherein the scanning is performed by transferring a mirror reflecting the ~~specified detecting~~invisible light in the optical path.
6. (previously presented): The image reading method according to claim 1, further comprising the step of issuing an alarm, when at least one of the foreign matter and the scratch in the optical path is detected.
7. (canceled).
8. (previously presented): The image reading method according to claim 1, wherein the optical element is at least one of a diffusion plate and a mirror.
9. (previously presented): The image reading method according to claim 1, wherein a position of the optical element is changed in accordance with a detection result of at least one of the foreign matter and the scratch in the optical path.

10. (previously presented): The image reading method according to claim 1, wherein a detection area for detecting at least one of the foreign matter and the scratch in the optical path is adjusted.

11. - 16. (canceled).

17. (currently amended): An image reading apparatus, comprising:

a first reading unit for reading an image on an image recording medium by a visible light and reading an invisible light which is scanned on the image recording medium, the focusing position of the invisible light set on a position of the image recording medium;

a second reading unit for scanning ~~a specified detecting~~an invisible light in a first direction using an optical path of the visible light and simultaneously reading the ~~specified detecting~~invisible light one-dimensionally in a second direction which is perpendicular to the first direction after a focusing position of the ~~specified detecting~~invisible light is set on a position of an optical element disposed in the optical path of the visible light, the focusing position being different from a position of the image recording medium;

a first detecting unit which determines from the read ~~detecting~~invisible light by the second reading unit whether light quantity data of the one-dimensionally read ~~detecting~~invisible light contains a portion where the light quantity data changes at a reading position during the one-dimensional reading, and which detects at least one of a foreign matter and a scratch on the optical element, based on whether the light quantity data contains the portion where the light quantity data changes at the reading position; and

a second detecting unit for detecting at least one of the foreign matter and the scratch on the image recording medium from the read invisible light by the first reading unit.

18. (canceled).

19. (currently amended): The image reading apparatus according to claim 17, wherein the second reading unit comprises a line sensor and a moving device for moving the ~~specified detectinginvisible~~ light in the first direction relative to the line sensor, and wherein the first detecting unit detects at least one of the foreign matter and the scratch by detecting the change of the light quantity data in a line shape at a constant sensor position of the line sensor.

20. (previously presented): The image reading apparatus according to claim 19, wherein the second reading unit allows the image recording medium and the line sensor to move relative to each other by transferring the image recording medium in relation to the line sensor by means of the moving device.

21. (currently amended): The image reading apparatus according to claim 19, wherein the second reading unit scans the ~~specified detectinginvisible~~ light by transferring a mirror reflecting the ~~specified detectinginvisible~~ light in the optical path with the moving device.

22. (previously presented): The image reading apparatus according to claim 17, further comprising an alarming device for issuing an alarm when the first detecting device detects at least one of the foreign matter and the scratch in the optical path.

23. (canceled).

24. (previously presented): The image reading apparatus according to claim 17, wherein the optical element is at least one of a diffusion plate and a mirror.

25. (previously presented): The image reading apparatus according to claim 17, further comprising a first changing device for changing a position of the optical element when the first detecting unit detects at least one of the foreign matter and the scratch in the optical path.

26. (previously presented): The image reading apparatus according to claim 17, further comprising an adjusting device for adjusting a detection area for detecting at least one of the foreign matter and the scratch in the optical path.

27. - 30. (canceled).

31. (currently amended): The image reading apparatus according to ~~claim 30~~claim 17, further comprising a second changing device for changing focusing positions of the ~~specified detecting invisible~~ light and the visible light in accordance with whether at least one of the foreign matter and the scratch in the optical element is detected by the invisible light or at least one of the foreign matter and the scratch on the image recording medium is detected by the invisible light.

32. (currently amended): The image reading apparatus according to ~~claim 30~~claim 17, ~~wherein the first detecting unit and the second detecting unit are identical to each other, the image reading apparatus further comprising:~~further comprising:

a second changing device for changing focusing positions of the invisible light in accordance with whether at least one of the foreign matter and the scratch is detected by the invisible light on the optical element or on the image recording medium.

33. - 38. (canceled).

39. (currently amended): The method of claim 1, further comprising changing a focusing position of the ~~specified detecting invisible~~ light to the recording medium to determine a defect portion on the recording medium.

40. (currently amended): The apparatus of claim 17, further comprising focusing changing means for changing the focusing position of the ~~specified detecting~~invisible light between the optical element and recording medium.

41. (currently amended): The image reading method according to claim 1, wherein the optical element on which the focusing position is set is an element disposed on a midway of the optical path to a reading position of the ~~specified detecting~~invisible light.

42. (currently amended): The image reading apparatus according to claim 17, wherein the optical element on which the focusing position is set is an element disposed on a midway of the optical path to a reading position of the ~~specified detecting~~invisible light.